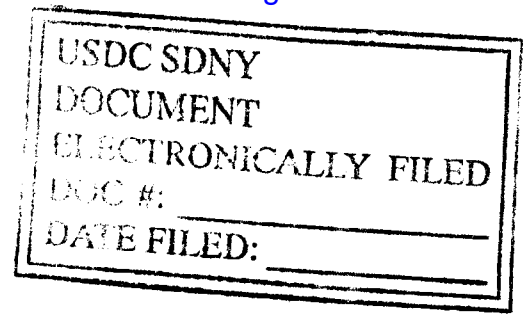


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



\_\_\_\_\_  
STANLEY HENDERSON,

Plaintiff,

-against-

05 Civ. 213 (CM)(LMS)

STATE OF NEW YORK, et al.,

Defendants.  
\_\_\_\_\_x

ORDER RELIEVING COUNSEL, REFERRING COUNSEL TO THE GRIEVANCE  
COMMITTEE, AND SETTING SCHEDULE FOR FURTHER PROCEEDINGS

McMahon, J.:

The Court having received no response from Sheri Hatton, Esq., to its order dated March 21, 2006 and the time for responding having expired last Friday, March 24,

The Court finds that the interests of justice require the removal of Sheri Hatton, Esq. as counsel of record to plaintiff in the instant proceeding.

Plaintiff has 60 days from today's date to retain new counsel. Newly retained counsel must file a response to defendants' motion for summary judgment by June 30, 2006. In the event that plaintiff has not retained new counsel within 60 days from today's date, he will be required to prosecute this action pro se, and his response to the motion for summary judgment will be due by June 30, 2006. In either event, defendant shall have until July 10 to file a reply to any response made on behalf of plaintiff. In such reply, defendants shall specifically identify any issue as to which, in their opinion, plaintiff's response does not warrant vacatur of the court's decision and order dated March 15, 2006.

In the event that plaintiff must proceed without counsel, he is advised of the following:

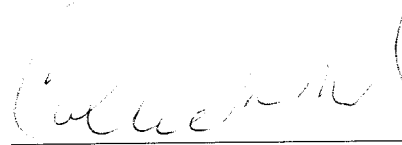
The Court finds that Attorney Hatton has failed and refused to communicate with her client since October 2005; that she failed to appear at a pre-trial conference held on September 1, 2005; that she failed to advise her client that a motion for summary judgment had been filed against him; that she failed to put in any response thereto, or seek any adjournment thereof, thereby causing the court to determine the motion on default; and that she at no time sought to be relieved of her responsibilities in this matter. The Court issued an order to show cause directing Attorney Hatton to explain her behavior, but she has failed and refused to respond. The Court has

Copies mailed / handed / faxed to counsel 3/30/06

attempted to call Attorney Hatton at her office telephone number but is able only to communicate with an answering machine. The Court's calls have not been returned.

In view of the foregoing, there is sufficient cause for this Court to refer Sheri M. Hatton, Esq. to the Grievance Committee of the United States District Court for the Southern District of New York., and I do so.

Dated: March 29, 2006



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BY FIRST CLASS MAIL TO PLAINTFF STANLEY HENDERSON

BY FIRST CLASS MAIL TO KEVIN PATRICK MCCAFFREY, AAG

BY FIRST CLASS MAIL TO SHERI M. HATTON, ESQ.